



The Seattle City Attorney's *Liaison Links*

Quarterly Connection to the People
and Programs of your
Precinct Liaison Offices

North - East - West - South/Southwest

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Neighbor Agreement

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Please visit the Precinct Liaison web site:
www.cityofseattle.net/law/precinct_liaisons

Spring 2005

NORTH PRECINCT

North Aurora Motel Emphasis By Ed McKenna

Motels along Aurora Avenue North have long been a hotbed of illicit and illegal activity. Unsavory characters, prostitutes, pimps and other problem persons have firmly entrenched themselves in several hotels. Like the "broken windows" theory suggests, those problem persons attract other problem persons who, in turn, displace good motel clientele. Soon, those problem persons and their activities emanate into the surrounding neighborhoods, resulting in an expansion of criminal activity. Consequently, surrounding property values decrease, attracting more problem persons... Well, you get the picture.

The Seattle City Attorney's Office, through the North Precinct Liaison Attorney, has initiated an aggressive campaign to reduce and prevent these activities that negatively impact the community.

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Because collaboration can help reduce public safety problems, we're bringing everyone to the table. Motel owners, community groups and organizations, State Health Department regulators, various City of Seattle departments (Law, Fire, DPD, Police, and others) and Department of Corrections are all in collaboration.

What follows are just a few aspects and brief synopsis of the Aurora motel emphasis:

Recently, all motel owners and managers were invited to the Aurora Motel Informational Program. Of the 26 North Aurora motels, 23 sent representatives to the session. At that session, we discussed good motel business practices, current laws, new ways to enforce existing laws, laws being proposed, and community impacts of problem businesses.

The three and a half-hour session appears to have been an eye-opener for many motel owners. Most apparent, was the fact that many owners were simply

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unaware of the tools and ability they possess to deal with problem persons. A 50+ page booklet of motel information was provided to each attendee of the session.

A state health code violation checklist was drafted for the use of police officers that respond to hotels. Upon viewing violations, officers can simply check the box indicating a violation and fax or send the complaint to the State Department of Health, which licenses transient accommodations (motels). Rather than inspect the hotel every three years, as is the current practice, inspectors will respond to police complaints within 3-10 days. The idea is that if motel owners make repairs to their premises, they are less likely to rent to persons who may damage it again.

Starting with the most problematic motels, the City Attorneys office drafted and presented the "Good Neighbor

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Agreement” which is basically an agreement by the motel to implement good business practices. Thus far, two have been returned and signed.

A new Aurora Motel Criminal Trespass Program has been implemented. Under this program, problem persons who receive an exclusion from one motel will be excluded from all motels participating in the program. At this time, all 26 motels from the Aurora Bridge to the city limits have agreed to participate.

The Precinct Liaison Attorney has met with community groups such as FAWN (Fremont, Aurora Wallingford Neighbors) and SAFE (Safer Fremont) to discuss what they can do to assist. Seattle Neighborhood Group presented an empowering session designed to assist impacted neighbors with documenting problems, which can be used in future litigation.

Seattle police are stepping up enforcement along the Aurora corridor and taking a pro-active stance. Together with Department of Corrections officers, numerous arrests have been made at Aurora motels.

Finally, neighbors will have a chance to meet with motel owners. The City Attorney's Liaison is organizing meetings between representatives of neighborhood groups and motel owners for the purpose of discussing public safety and community impacts.

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A long-term commitment to crime reduction on the Aurora corridor is necessary to ensure the safety of our adjoining neighborhoods as well as to increase quality clientele to all Aurora motels. We're all working together to ensure the safety of our community.

EAST PRECINCT

Precinct Liaison brings Community Organizations Together

By Dan Okada

Two organizations dedicated to community service shared one common problem, a parking lot sandwiched between their two buildings. Over the last year, tensions have arisen due to continued illegal parking in the lot that has culminated into recent intimidation of some of the patrons. In order to deal with this situation, the first step was to bring the parties together to discuss the problems and to talk about possible solutions short of legal intervention.

The community prosecutor would serve as a mediator to help the parties address the problems in a cooperative and positive way. Both parties arrived at the meeting with little knowledge of the other's focus or commitment to helping the community. On the one side was the 1504 Club, which has been in existence for 19 years. It provides a place where people dealing with alcohol/drug addiction can meet in a safe and drug free environment with their peers to help overcome their problems. On the other side was the Friends of the Children (FOC), a non-profit organization

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that matches vulnerable children with mentors from the community to help provide support and guidance from kindergarten through high school graduation. These children face challenges from poverty and homelessness to family histories of domestic violence or substance abuse. One indication that these groups had not communicated effectively in the past was that though FOC had been at its current location for 2 ½ years, the representatives from the 1504 Club had thought that they had just moved in recently.

After both sides presented each other with the nature and substance of their work, they were able to air grievances from a position of mutual respect for what the other was trying to accomplish. From the meeting, they were able to come away with a plan to help resolve the situation. This plan included: additional posting of signs and announcements at meetings to advise members of the parking prohibitions; the exchange of contact information for who to call should further problems arise; a proposal for the FOC to give a presentation at the 1504 Club to explain who they are and what they are trying to accomplish; and an agreement to meet in two months to see what progress has been made.

Both parties left the meeting with a better understanding of the other and a commitment to solve their current controversy. A special thanks goes to Ted Divina, Central District Coordinator for the Department of Neighborhoods, for being kind enough to volunteer a conference room to serve as a neutral site for the meeting.

Meet Tuere Sala

Tuere Sala came to us with over seven years of wide-ranging prosecution experience gained in the State of Missouri. From 1992 to 1994, she served as a prosecutor in the City of Kansas City Prosecutor's Office, where she prosecuted a wide variety of traffic and ordinance violations in addition to cases on the domestic violence calendar. From 1994 to 1999, she was a prosecutor with the Jackson County Prosecutor's Office (Kansas City, MO) where she headed the forfeiture unit and served in the drug unit. While with the drug unit she served in their neighborhood prosecution program, a community prosecution effort in many ways similar in purpose to our own Precinct Liaison Program. While with Jackson County she gained considerable experience in everything from civil asset forfeiture actions to search warrant drafting and from criminal trial work to negotiating plea and disposition agreements.

Tuere is the 2nd in a family of ten brothers and sisters. She was raised in the Seattle area, and graduated from Franklin High School, where she was senior class president, a role once also held by our own Mark Sidran. From 1977 to 1980 she served with the United States Airforce at McCord Airforce Base in Tacoma, Washington. She received her Bachelors Degree in Humanities from LeMoyne-Owen College in Memphis, Tennessee in 1984 and her law degree from the University of Kansas in 1990. Since returning to Washington last year, she has served as the Acting Human Resources Director at the Atlantic Street Center in Seattle.

SOUTH PRECINCT

To SOAP or not to SOAP By Tuere Sala

Public safety and quality of life are the two primary concerns Precinct Liaisons deal with regularly. Of these two concerns prostitution and its related crimes have a big impact in many neighborhoods throughout the city. The City Attorney's office is working on addressing the increased prostitution activity in the South and Southwest precincts, specifically in the Georgetown and North Beacon Hill Neighborhoods.

The Liaison is in the process of adding these two neighborhoods to the existing SOAP – **Stay Out of Areas of Prostitution** – judicial order. Community response to action has been very positive and is growing. The increased attention and awareness of the problems surrounding prostitution and its related crime has also raised concerns regarding the use and fairness of such an order. Much of this concern stems from a misunderstanding of what a SOAP designation means and how the process works.

A SOAP designation does not give the police the authority to arrest anyone on "mere suspicion of prostitution". Even in a SOAP area, the law requires an arrest and conviction of a prostitution related crime, i.e. prostitution, promoting prostitution or solicitation of prostitution before a SOAP order is applied. (This will generally require an

undercover operation even if an area is designated a SOAP area). A Municipal Court Judge will then determine whether to issue a SOAP Order after a review of the evidence. If the Order is issued, it is done so in relation to any and all general pre-trial or probation orders. A SOAP designation does not apply to any and every possible prostitute, john or pimp living within the area. It only applies to a prostitute, john or pimp who has been convicted and ordered to stay out of that particular area by a judge. If there is no SOAP designation in a particular area, any person arrested and/or convicted of a prostitution related crime in the area can, and do, simply return to the area and continue the same behavior.

Numerous residents in both the Georgetown and North Beacon Hill communities have complained about the blatant and open acts of prostitution in the area. They complain of observing the same particular women walking up and down streets at all hours of day and night. They observe these women get into various cars and they witness sexual acts involving these women in cars and behind building. They complain about having to pick up condoms in their yard and the openness of the prostitution acts even when their children are around.

While a SOAP designation will not eliminate prostitution, a SOAP designation can deter the open and blatant acts of prostitution currently occurring within Georgetown and North Beacon Hill neighborhoods. Currently,

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To SOAP or not to SOAP

the precinct liaison is gathering information and statistical data that will be presented to the Municipal Court in support of the City's request for the additions. The City expects to present its request to the Court around the end of April. The Court will then make a determination based upon all the presented evidence and arguments regarding whether the two areas will be added to the order.

In the event the areas are added to the SOAP order, the police department will still be required to perform undercover operations to address the issue of prostitution (which requires a lot of resources) but an enforcement tool will then be in place that may be able to prevent the person from simply returning to the area and continuing the behavior.

WEST PRECINCT Meet Tamera Soukup

Tamera Soukup started with the Law Department's Criminal Division in 1988 while she was in her third year of law school at UPS (now Seattle University). After graduating and passing the bar she was hired as a full time ACA attorney. She worked on criminal cases for about a year and then moved on to the Civil Division handling the Land Use Code enforcement cases.

In December 1990 she moved to Bremerton. There she entered the Northwest's "coffee" arena

by opening the First Street Coffee Bar in downtown Bremerton, which she owned and operated for five years.

In 1993 she returned to Seattle and in June of 1995 to the Law Department's Criminal Division where she spent the majority of her time working with the Municipal Mental Health Court. In June 2003 Tamera took over as West Precinct Liaison Attorney.

Tamera spends the majority of her time with her family. She has 3 children, Benjamin (13 years old), Madeline (12 years old) and Riley Rose (10 years old). "My life is filled with many varied activities including my children's sporting events, walking with friends, gardening and yoga," says Tamera.

In the fantasy department, Tamera says, "I would be a yoga instructor in some exotic location."

Parking Lot Trespass Program By Tamera Soukup

Vehicle thefts, car prowls and pay box thefts have drastically increased over the last few years. Many of these crimes occur in pay parking lots throughout the West Precinct. The West Precinct has come up with a new program that they hope will reduce the number of these crimes.

Surface parking lots provide a needed service for the downtown community. Unfortunately, the surface lots also attract criminals who are out to steal and vandalize vehicles that have paid to park. Vehicle thieves and prowlers are repeat offenders who commit the same type of crime over and over

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again moving from one lot to the next. Many continue to commit these types of crimes even after having spent time in jail for such an offense.

SPD and West Precinct parking lot operators developed a mutual trespass program that would allow for greater control in keeping offenders out of the parking lots for a one-year period.

The parking lot trespass program is composed of eight parking lot management companies who are in charge of 321 surface lots in the West Precinct. These eight companies have agreed among themselves to not allow anyone on their lots who has been trespassed from any one of the other 320 lots in the program.

In other words, when an offender is admonished from trespassing at one lot, he is banned from going onto any of the other lots managed by participating companies.

Program participation requires that each management company conspicuously post several signs in each of their lots that read, "SPD West Precinct Parking Lot Trespass Program" and "No trespassing or loitering". An offender who violates the lot rules can be issued a one-year trespass admonishment which bars him from returning to any lots in the program. Participating companies have authorized SPD to act on their behalf when they view non-permitted activity taking place on one of the lots.

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Shoprite GNA **By Tamera Soukup**

The new owners of Shoprite located at 222 Wall Street have entered into a Good Neighbor Agreement with the City. In the past, Shoprite has posed public safety problems for the community. In addition to selling low-cost high-alcohol content products to inebriates the store also sold drug paraphernalia. Because of this activity the City of Seattle objected to the renewal of the previous owner's liquor license.

The new owners have cooperated with the City and entered into a Good Neighbor Agreement that would eliminate previous problems that existed at this location.

The new owners also agreed not to sell any of the alcohol products that are generally purchased by chronic public inebriates. Additionally, an agreement to not sell any drug paraphernalia or permit a public telephone on the premises was made.

The City appreciates the new owners' willingness to work towards making the Belltown neighborhood a safer and more desirable place to live and do business.

"A government can be no better than the public opinion that sustains it."

Franklin D. Roosevelt

Booting of vehicles **By Tamera Soukup**

Complaints of booted vehicles and predatory practices have multiplied over the last six months. SPD has received dozens of complaints from citizens and visitors that their cars were wrongly booted and held hostage until they paid an exorbitant fee for their return. A boot is a locking device placed on the tire of a vehicle to immobilize it.

These incidents occurred in both pay and non-pay public parking lots. Complainants stated they believed that they were following the rules for using the parking space by complying with signage or by paying the posted fee. When they returned to their vehicles they found a booting device attached to one of the tires and a note with a phone number to call for removal of the boot.

In most cases, an individual dressed in street clothes arrives within minutes of their phone call demanding anywhere from \$180 to \$400 to remove the boot from their vehicle. This responding individual claims to be an employee of a vehicle impound company, usually either Clampdown or Total Parking Solutions (TPS). The employee does not wear a uniform or carry company identification. Cash or credit card payment is demanded.

Many complainants feel threatened and call 911 for assistance. The victims have no way to determine whether the individual demanding payment is acting legitimately or robbing them of their property. To be approached by a strange man demanding several hundred dollars

for release of your vehicle would likely instill fear or suspicion in most people.

This practice of booting vehicles has been described by some as predatory and a form of extortion. Complainants allege that these so-called employees sit in their cars at the parking lots and wait for people to exit their vehicles. Within minutes the employees boot the vehicles. On the pay lots, many complainants claim they in fact did put money into the pay box yet their cars were booted anyway. In the non-pay lots, complainants say that they were following the rules, i.e. no parking from 6 a.m.–6 p.m., or they were actually visiting one of the businesses that own the lot.

In one situation a driver left his car to run into a restaurant to get change for the pay box and his car was booted by the time he returned with the change.

In another situation, a driver for Northwest Harvest parked in a lot next to Starbucks while he ran in to pick up the day old pastry donations. When he returned minutes later his car was booted and the employee was demanding \$195 for its release. After the intervention of a Seattle Police Officer the car was eventually released without payment.

Seattle Police Officers have been responding and documenting these incidents and forwarding their reports to the

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Booting of Vehicles

Washington State Dealer Services Enforcement Office and the Attorney General's Office. In response to the SPD incident reports and consumer complaints, the Attorney General's Office issued cease and desist orders against Clampdown and Total Parking Solutions (TPS) for impounding vehicles without a tow license. At this time it appears that both companies are abiding by the orders and have stopped booting vehicles in Seattle. Both companies have the right to appeal the cease and desist orders.

Per state law, registered tow truck operators (RTTO) are the only ones permitted to impound vehicles. Impound is defined by state law as "taking and holding" a vehicle in legal custody. The AG's office states that immobilizing or booting a vehicle is a form of "taking and holding" a vehicle. Therefore, the only ones who can legally boot a vehicle are registered tow truck operators. RTTO regulations provide for consumer protection and guard against fraud.

The public pay parking lot section of the Seattle City Code requires that the appropriate City Official approve immobilization devices before they can be used. Neither Clampdown nor TPS requested approval of the booting devices they were using.

The penalty for using a non-approved device is a misdemeanor. Director of Consumer Affairs Mel McDonald indicated that he would not approve any impound device unless the applicant had obtained an RTTO license as required by the State. If Clampdown or TPS begin booting vehicles again, McDonald will request that criminal charges be brought for non-compliance with the ordinance.

The City Attorney's Office and SPD are also considering filing theft charges against booting companies and their employees if they immobilize vehicles in parking lots without proof that the property owner/manager authorized them to tow each and every vehicle.

Word of this booting practice spread to our state legislators. Senator McCaslin introduced a bill this session making booting of any kind on a lot open to the public (pay or non-pay) a criminal offense punishable by up to a year in jail and a \$5,000 fine. Governor Gregoire just signed the bill into law on April 18, 2005. With this law in place we hope to see this predatory practice diminished.

Meet Ed McKenna
North Precinct Liaison Attorney

Ed McKenna began work in the Criminal Law Department in February of 1990. He did jail prosecution, trial rotation, served as Assistant Supervisor on the Trial Unit and was the Master Calendar Prosecutor before he began working on the Vertical Trial Prosecution (VTP) team. ED is now working on

the High Impact Offender Project (HIOP).

Ed came to the Criminal Law Department from private practice where he did personal injury lawsuits and represented indigent inmates. He says he much prefers working in the public sector to private practice.

Ed likes working with the "dregs" of society. He gets a great deal of satisfaction from being able to contribute to public safety by getting habitual offenders off the streets which makes working on HIOP the perfect place for him. See the related article in this issue: Blue Note Kudos.

When he's not working Ed likes to go hiking, fishing, and camping. He also remodels houses, having purchased several "fixer-uppers" that he has successfully transformed. He is well known around the office for and has made an art form of bargain hunting. He sums up his philosophy in one succinct quote: "I've never paid full price for anything". The consummate practical joker, one of Ed's favorite "Holidays" is April first. You probably won't find an entire deer leg in your office or a giant spider dangling over your desk because those little pranks have already been done, but beware! If he weren't here putting the bad guys away Ed says he would probably be in prison himself, or a more viable alternative would have been going into the real estate business with his brother.

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Northwest Community Prosecutors Gather in Portland

By Bob Hood

Seattle's Community Prosecution Team, including City Attorney Tom Carr, attended the Northwest Regional Community Prosecution Symposium sponsored by the American Prosecutor's Research Institute in early January in Portland, Oregon. The two-day conference included representatives from a number of Oregon and Washington prosecutor's and city attorney's offices who have ongoing community prosecution programs. The gathering provided an excellent opportunity for the region's community prosecutors to get to know each other better, gain an understanding of each other's programs, and share valuable tips in dealing with common community problems.

During the first day of the symposium, each agency presented an overview of their community prosecution initiative and how their office was organized to support their effort. On the second day, the focus shifted to presentations on how to deal with specific community problems. Topics included dealing with chronic public inebriates, transients and neighborhood blight, engaging the schools to reduce juvenile delinquency, community prosecution techniques for rural areas, and closing drug houses through use of community driven search warrants. Attendees also heard from the Portland Police

Chief on how community policing and community prosecution work together and from a longtime Portland community activist on how to forge effective partnerships with citizens. Finally, Mike Kuykendall, of APRI, gave us the latest update on developments at the national level.

Despite many differences concerning our programs, resources and jurisdictions, most of us came away from the conference with a clearer understanding that we in the Northwest face many of the same kinds of community problems. We hope to capitalize on what we learned and on the relationships we forged as we continue to try to make our communities safer and more livable places.

East Precinct Gains Full Time Precinct Liaison

By Tom Carr

I'd like to welcome Dan Okada to our Precinct Liaison team. Dan has taken over the position of East Precinct Liaison previously held by Ed McKenna. Ed McKenna, who was splitting his time between the East and North precincts, will be handling the duties of North Precinct Liaison full-time now.

This brings the total number of full-time precinct liaisons to four. Seattle City Attorney, Tom Carr, has stated his goal in the past, to eventually have one liaison assigned to each of the City's five police precincts.

Dan Okada has been a prosecutor with the Seattle City Attorney's

Office for the last four and a half years. Prior to that, he worked for the criminal division of the Tacoma City Attorney's office for two years. While in Seattle he spent over two years working as a member of the Domestic Violence Unit.

Dan is a Seattle area native, having grown up on Mercer Island. He attended the University of Washington where he earned a Bachelor of Arts in Political Science in June of 1994. He also served as the legislative liaison for the Associated Students of the University of Washington where he lobbied legislators on behalf of student interests and planned and coordinated an on-campus initiative debate and voter registration drive.

He attended the University of Washington Law School and earned his J.D. in June of 1997. He also is a graduate of the National Institute of Trial Advocacy (NITA) Trial School, an intensive ten day program designed to improve trial skills.

Among some of the long-term projects to be addressed in the East Precinct are continuing crime concerns around the 21st and Madison corridor, public safety concerns at the Yesler Terrace Stairs, and the re-opening of Cal Anderson Park, which is tentatively scheduled for July of 2005.

Dan hopes to work with members of the community, police, business interests and other City Agencies to develop long-term strategies to combat these ongoing problems.

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The Seattle City Attorney's
Liaison Links

North Liaison Attorney

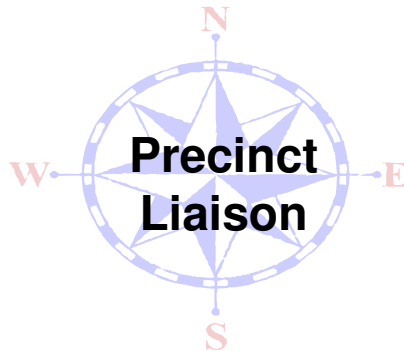
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